

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Ronald French et al.Application No./Patent No.: 7,037,253 Filed/Issue Date: 5/2/06

Entitled: Methods, Systems and Devices Relating to Implantable Fluid Pumps

Circulite, Inc., a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
 (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

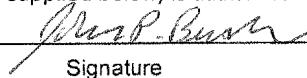
1. From: French, Andreas and Gifford To: The Foundry, Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel 012222, Frame ub50, or for which a copy thereof is attached.
2. From: The Foundry, Inc. To: Circulite, Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

John Budris

7/9/08

Date

201-543-2430

Printed or Typed Name

Telephone Number

CHIEF TECHNOLOGY OFFICER  
 Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT ASSIGNMENT

WHEREAS, The Foundry, Inc., a Delaware corporation, having its principal offices at 199 Jefferson Drive, Menlo Park, CA 94025 ("The Foundry"), owns those patents listed in Schedule A attached hereto, (the "Patents"); and

WHEREAS, Circulite, Inc., a Delaware corporation, having its principal offices at 401 Hackensack Avenue, Hackensack, NJ ("Circulite"), is desirous of acquiring the entire right, title and interest in and to said Patents.

NOW, THEREFORE, for good and valuable consideration paid by Circulite to The Foundry, the sufficiency and receipt of which is hereby acknowledged, The Foundry agrees as follows:

The Foundry has sold, assigned and transferred, and by these presents does hereby sell, assign and transfer unto Circulite, and its successors and assigns, its entire right, title and interest in and to the Patents, including any patents and patent applications claiming priority thereto including any continuations, continuations-in-part, divisionals, reissues, renewals or extensions of such Patents, both foreign and domestic, that may or shall issue, and including, without limitation, the right to sue for and recover damages for any past, present or future infringement of the foregoing, the same to be held and enjoyed by Circulite for its own use, and for its legal representatives and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal.

Date: May 7, 2007  
*HPZ*

THE FOUNDRY, INC.

By: J. Hanson S. Gifford III  
Its: President

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF \_\_\_\_\_)

On this 7 day of May, 2007 before me personally appeared Hanson S. Gifford III, President and CEO of The Foundry, Inc., to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

*Attest*  
Notary Public

**Schedule A**

Pat. No.	Country	Title	Filing Date
6,723,039	United States	Methods, Systems, and Devices Relating to Implantable Fluid Pumps	April 27, 2001
7,037,253	United States	Methods, Systems, and Devices Relating to Implantable Fluid Pumps	March 8, 2004

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara

On 7-Doc 2007 before me,

Date

before me,

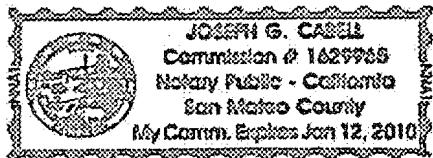
Joseph G. Caselli Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Hudson G. Gandy

Name(s) of Signer(s)



Please Notary Seal Above

personally known to me

(or proved to me on the basis of satisfactory evidence)

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal,

  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document:

DEPARTMENT OF AGENT

Document Date: 7 Doc 2007 Number of Pages: 2

Signer(s) Other Than Named Above:

Note

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Individual

Individual

Corporate Officer — Title(s):

Corporate Officer — Title(s):

Partner —  Limited  General

Partner —  Limited  General

Attorney in Fact

Attorney in Fact

Trustee

Trustee

Guardian or Conservator

Guardian or Conservator

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

